

REMARKS/ARGUMENTS

Claims 1-10, and 12-22 are pending in the application. Reconsideration and reexamination of the application are hereby respectfully requested.

Election/Restriction:

The Applicant affirms the election made by his representative in the telephone conversation of December 20, 2005, and elects to pursue prosecution of the Group 1 invention of claims 1-22. Original method claim 23 is withdrawn.

The applicant wishes to bring to the Examiner's attention that claim 22, as amended herein, is an independent method claim. The applicant believes that the continued prosecution of method claim 22 is consistent with the election made as a process that is not distinct from the related product.

In the Specification:

The Specification stand objected to for editorial errors and informalities in paragraphs [0025], [0026], and [0032]. Those paragraphs are amended herein to cure the noted errors.

In the Claims:

Claim 1 stands objected to for a number of informalities. Appropriate corrections have been made to amended claim 1.

Claim 1 stands rejected under section 112, second paragraph, as indefinite for lack of antecedent basis to the limitation "the radially inward facing surface." Claim 1 has been amended to cure this indefiniteness.

Various claims were objected to for improper multiple dependency. All multiple dependency has been eliminated in the amended claims.

Claim 11 stands rejected under section 112, second paragraph, as an indefinite omnibus type claim. Claim 11 is canceled.

Claim Rejections – 35 USC §103

Claims 1-3 and 12-24 stand rejected under 35 USC 103(a) as unpatentable over US 5,700,018 to Bongers-Ambrosius et al. (“BA”) alone or in combination with EP 0013646. Applicant respectfully traverses both the stated grounds for rejection.

According to the Examiner at Para. 10 of the Action, BA teaches (or at least suggests) a cylindrical through hole (5b) with a matching cylindrical driving insert (8), and that it would have been obvious to modify BA so that the through hole and driving insert were in the claimed form of “at least two overlapping axially offset circular cross-sectioned through holes and a matching shaped driving insert.” Applicant respectfully disagrees. Indeed, BA teaches away from the proposed modification.

BA ‘018 discloses that the “entrainment element is formed of at least one roll body rolling along a plane” and “[t]ransmission of torque is provided by an entrainment element, shaped as a roll body, whereby any friction during the relative shift between the bit and the chuck, leading to wear is avoided.” BA col. 1 lines 64 to col. 2 line 4. BA also teaches that “the roll bodies can be loosely received in the receiving sleeve . . . as is well known for ball and roller bearings.” BA col. 2 lines 9-13. Of the Fig 1 embodiment specifically cited by the Examiner, BA says that “[e]ntrainment elements 8, in the form of cylinders are supported in recesses 5b in a receiving sleeve (5) and serve for transmitting torque. . . . Because the entrainment elements are formed as cylinders, no friction occurs at the areas where there is transmission of torque, rather, the entrainment elements roll along the contacting areas.” BA col. 2 line 63 to col. 3 line 3. Thus, it is clear that BA’s cylindrical entrainment elements (8) act as bearings and must be able to move within the surrounding sleeve (5).

Therefore, it would completely defeat the stated purpose of the BA design, if its entrainment elements and their corresponding through hole were modified into the series of overlapping cylinders that make up the base portion 44 of the claimed driving

rib insert 42. Such a shape would be unable to move within the corresponding through hole and would be incapable of serving as the “roll bodies” taught by BA.

Alternatively, at Para. 9 of the Action, the Examiner argues that it would have been obvious to modify the BA structure in view of the teachings of EP 0013646 (“EP”) to achieve the claimed invention. Applicant traverses this grounds for rejection by first noting (as above) the so modifying the BA structure would negate its claimed advantages, and thus BA teaches away from the proposed combination.

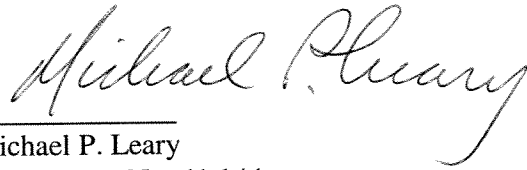
Furthermore, EP does not teach what the Examiner claims. In no embodiment, does EP disclose a through hole composed of overlapping cylindrical through holes and a correspondingly shaped drive element. EP teaches a conventional collet (16) which is intended to compress around and grip tool shank (18) without relative rotation or axial movement. EP page 3 lines 25-28 and page 4 lines 22-24. Pin (50) is a radially moveable detent pin which serves to conveniently secure and release the tool during chucking and unchucking operations and for holding the shank against axial pull-out. See EP page 1 lines 11-21 and page 4 lines 2-21. No portion of pin (50) serves as a drive element.

Moreover, neither EP pin (50) nor radial aperture (44) has the claimed shape. EP Fig. 4 is merely a cross section view (at arrows IV-IV) that show that the undercut portions (48) may be made by shaped by use of a Woodruff cutter. EP page 5 lines 6-12. They do not constitute a through hole. Pin 50 is a single cylinder in all embodiments.

Thus, EP 0013646 does not suggest the modification proposed by the Examiner, and even if it did, that modification would be incompatible with the claimed function and advantages of the BA apparatus. Therefore, the Applicant respectfully submits that the grounds for rejection have been traversed and the amended claims are novel and allowable.

Appl. No. 10/712,933
Amdt. dated June 27, 2006
Responsive to Office Action dated December 27, 2005

Respectfully submitted

A handwritten signature in cursive script that reads "Michael P. Leary". The signature is written in dark ink and is positioned above a horizontal line.

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